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BY: Felix Kawoski

DATE: 3/31/03

## PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Patent Application of : Group Art Unit: 1647  
MICHAEL ECONS, *et al.* :  
Appn. No.: 09/901,938 : Examiner: C. Saoud  
Filed: July 10, 2001 : Attorney Docket  
For: NOVEL FIBROBLAST GROWTH :  
FACTOR (FGF23) AND METHODS OF :  
USE :  
:

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## **RESPONSE TO RESTRICTION REQUIREMENT**

Responsive to the Restriction Requirement dated October 2, 2002 (Paper No. 6), issued in connection with the above-identified application, Applicants elect to prosecute the claims of Group I, claims 1-16, 22-24, 32-33, 36-38, 43, 80, 82 and 83, drawn to nucleic acids. Within Group I, Applicants provisionally elect to prosecute SEQ ID NO:1 as set forth in the as-filed application. This election is being made without traverse and without prejudice to the inclusion of the subject matter of the non-elected claims in any later filed divisional or continuation application.

This response is being timely filed in light of the five-month extension of time and accompanying fee included with this election, which extends the time for a response up to and including April 2, 2003. A favorable examination of the claims is hereby requested.

Respectfully submitted,

MICHAEL ECONS ET AL.

March, 31, 2003  
(Date)

Bv.

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Enclosure (Petition for Five-Month Extension of Time)